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DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

K. Saigel
Proc II

FILE: B-190353

DATE: October 19, 1977

MATTER OF: Astrocom Electronics, Inc.

DIGEST:

Question of contractor's ability to obtain required component from supplier in time to comply with contracting agency's delivery schedule relates to agency's affirmative determination of firm's responsibility which will not be reviewed by GAO.

Astrocom Electronics, Inc. (Astrocom), protests the award of a contract by the U.S. Army Electronics Command (Army) to Hiltronics Corporation (Hiltronics), under RFP No. DAAB07-77-R-2365 for cord assembly, electrical, NSN 5995-00-302-7521.

Astrocom contends that Hiltronics will not be able to obtain from suppliers the necessary components in time to deliver the assembly as required by the solicitation. Astrocom contends that Hiltronics did not contact the suppliers of the components prior to quoting and that if Hiltronics had, it would have been informed that the connector manufacturer, Nexus, Inc., would not be able to deliver the component for at least sixteen weeks. The protester believes that as a prior producer it is the only firm capable of meeting the delivery schedule.

Whether a proposed contractor will be able to obtain the required components from a manufacturer in time to comply with the contracting agency's delivery schedule relates to the agency's determination of firm's responsibility. See Watkins-Johnson Company, B-187990, April 18, 1977, 77-1 CPD 268; ERA Industries, Inc., B-187406, May 3, 1977, 77-1 CPD 300. An affirmative determination has been made by the contracting officials. In the absence of a

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showing of fraud on part of the procuring officials or other circumstances not applicable here, this Office does not consider protests involving an affirmative determination of contractor responsibility.

Accordingly, the protest is dismissed.

for Milton J. Aoulan
Paul G. Dembling
General Counsel